

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
MACRINO ACEVEDO-CUEVAS, )  
Defendant. )

CASE NO. CR07-134 RSM

DETENTION ORDER

Offenses charged:

Count 1: Conspiracy to Distribute Heroin and Cocaine, in violation of Title 21, U.S.C., Sections 841(a)(1), 841(b)(1)(B), 841(b)(1)(C), and 846;

Counts 2-6, 8, and 10: Distribution of Heroin, in violation of Title 21, U.S.C., Section 841(a)(1), and 841(b)(1)(C), and Title 18, U.S.C., Section 2;

Count 7: Distribution of Cocaine, in violation of Title 21, U.S.C., Sections 841(a)(1) and 841(b)(1)(C), and Title 18, U.S.C., Section 2.

Date of Detention Hearing: April 9, 2007

The Court, having conducted an uncontested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the

1 defendant can meet will reasonably assure the appearance of the defendant as required and  
2 the safety of any other person and the community. The Government was represented by  
3 Adam Cornell. The defendant was represented by William Hines.

4 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

5 (1) There is probable cause to believe the defendant committed the  
6 Conspiracy to Distribute Heroin and Cocaine offense. The maximum  
7 penalty is in excess of ten years. There is therefore a rebuttable  
8 presumption against the defendant's release based upon both  
9 dangerousness and flight risk, under Title 18 U.S.C. § 3142(e).

10 (2) The defendant is viewed as a risk of nonappearance as he is a citizen of  
11 Mexico and is in the United States illegally. Defendant's background is  
12 unknown he has no known ties the Western District of Washington. The  
13 Bureau of Immigration and Customs Enforcement has placed a detainer  
14 against Defendant.

15 (3) Defendant stipulates to detention at this time.

16 Based upon the foregoing information, it appears that there is no condition or  
17 combination of conditions that would reasonably assure future Court appearances and/or  
18 the safety of other persons or the community.

19 **It is therefore ORDERED:**

20 (1) The defendant shall be detained pending trial and committed to the  
21 custody of the Attorney General for confinement in a correction facility  
22 separate, to the extent practicable, from persons awaiting or serving  
23 sentences or being held in custody pending appeal;

24 (2) The defendant shall be afforded reasonable opportunity for private  
25 consultation with counsel;

26 (3) On order of a court of the United States or on request of an attorney for

1 the Government, the person in charge of the corrections facility in which  
2 the defendant is confined shall deliver the defendant to a United States  
3 Marshal for the purpose of an appearance in connection with a court  
4 proceeding; and

- 5 (4) The clerk shall direct copies of this order to counsel for the United  
6 States, to counsel for the defendant, to the United States Marshal, and to  
7 the United States Pretrial Services Officer.

8 DATED this 11<sup>th</sup> day of April, 2007.

9  
10  
11 

12 MONICA J. BENTON  
13 United States Magistrate Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26